

REMARKS



The Office Action of July 3, 2001, has been carefully considered.

It is noted that claims 8, 10, 18 and 20 are rejected under 35 USC 102(b) over Japanese reference 4-50297 to Yoshikawa.

Claims 11, 12 and 15 are rejected under 35 USC 103(a) over Yoshikawa in view of the patent to Lane.

Claims 9, 12-17 and 19 are rejected under 35 USC 103(a) over Yoshikawa in view of European reference 686 594 to Loiodice.

In view of the Examiner's rejections of the claims applicant has amended independent claim 8.

It should be mentioned that the claims now on file specifically define a cable elevator having first parallel guides arranged in a first vertical plane and second parallel guides which are separate from the first parallel guides and are arranged in a second vertical plane parallel to and spaced from the first vertical plane. A cage is movably arranged on the first guides and a counterweight is movably arranged on the second guides. An engine mount is fastened to the first guides and to the second guides and a drive engine is arranged on the engine mount.

It is respectfully submitted that the claims now on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references, and particularly to Yoshikawa, it can be seen that this reference discloses an elevator. Applicant respectfully submits that Yoshikawa does not disclose first parallel guides and second parallel guides separate from the first parallel guides and

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spaced from the first parallel guides, as in the presently claimed invention. The elements 15C and 15D referred to by the Examiner are merely flange sections of a single guide rail 15, as can be seen in Figure 1 of Yoshikawa. Yoshikawa does not disclose separate guide rails for the cage and the counterweight, respectively, as in the presently claimed invention.



In view of these considerations it is respectfully submitted that the rejection of claims 8, 10, 18 and 20 under 35 USC 102(b) over the above-discussed reference is overcome and should be withdrawn.

As for the remaining references which were cited in combination with Yoshikawa in rejecting various of the dependent claims, these references have also been considered. Neither of these references provides any teaching of separate pairs of guide rails for the cage and the counterweight, as in the presently claimed invention. Thus, it is respectfully submitted that a combination of either Lane or Loiodice with Yoshikawa does not teach or suggest the presently claimed invention.

In view of these considerations it is respectfully submitted that the rejection of claims 11, 12 and 15 under 35 USC 103(a) over Yoshikawa in view of Lane and the rejection of claims 9, 12-17 and 19 under 35 USC 103(a) over Yoshikawa in view of Loiodice, are overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

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It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By

A handwritten signature in black ink, appearing to read "Klaus P. Stoffel".

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Dated: November 5, 2001

In the Claims:



8. (Amended) A cable elevator, comprising: first parallel guides arranged in a first vertical plane; second parallel guides separate from the first parallel guides and arranged in a second vertical plane parallel to and spaced from the first vertical plane; a cage movably arranged on the first guides; a counterweight movably arranged on the second guides; an engine mount fastened to the first guides and to the second guides; and a drive engine arranged on the engine mount.

17. (Amended) A cable elevator as in claim [15] 16, wherein said engine mount is fixed to said mutually opposed outer sides.

19. (Amended) A cable elevator as in claim [17] 18, wherein said first guides extend upward beyond said engine mount and accommodate at least one of said counterweight and said drive engine therebetween, said lower and upper guide elements forming a space therebetween which permits said cage to move vertically past said at least one of said counterweight and said drive engine.